



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/766,307	12/13/96	RIGGINS	M 564

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EXAMINER	
GECKIL, M	
ART UNIT	PAPER NUMBER
2756	19

DATE MAILED: 04/12/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	08/766,307	Applicant(s)	Mark D. Riggins
Examiner	Geckil	Group Art Unit	2756

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 (Three) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication .
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

Responsive to communication(s) filed on 1/29/99.

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

Claim(s) 1-30 and 38-50 is/are pending in the application.

Of the above claim(s) _____ is/are withdrawn from consideration.

Claim(s) _____ is/are allowed.

Claim(s) 1-30 and 38-50 is/are rejected.

Claim(s) _____ is/are objected to.

Claim(s) _____ are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The proposed drawing correction, filed on _____ is approved disapproved.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Code/Serial Number) _____.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

Attachment(s)

Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

Interview Summary, PTO-413

Notice of References Cited, PTO-892

Notice of Informal Patent Application, PTO-152

Notice of Draftsperson's Patent Drawing Review, PTO-948

Other _____

Office Action Summary

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1. Claims 1-30 and 38-50 are presented for examination.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1-30 and 38-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cowan et al.
4. Cowan et al (5,828,840) taught the invention substantially as claimed (e.g., as in exemplary claim 1) including a system and method for communicating with a service (e.g., see column 5 lines 1-6, column 9 line 22 et seq and column 10 line 12 et seq), comprising:
 - a) initiating a communications link between a browser stored on a client and a server (e.g., see column 2, columns 4-5 under the subtitle “Architecture”, column 6 line 20 et seq and column 8 line 13 et seq);
 - b) receiving selection of a service identifier from a set of service identifiers (e.g., see column 5 lines 20-30, column 6 line 20 et seq, column 7 line 3 et seq, and column 8 line 19 et seq);

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c) receiving downloadable code corresponding to the selected service identifier (e.g., see column 5 line 1 et seq, column 6 line 20 et seq, and column 8 line 13 et seq);
d) using the downloadable code to identify and initiate a network communications path from the browser to a service corresponding to the selected service identifier (e.g., see column 10 line 12 et seq and column 9 line 22 et seq); and
e) using the downloadable code to interface with the service (e.g., see column 10 line 19 et seq and column 11 line 1 et seq.) Cowan et al further taught, at the server, how to interface and forward financial transactions originating from the client to external upstream and database services and route the response back to the client (e.g., see column 10 lines 20 et seq.) What is more significant about Cowan et al reference is that at the server side they used SERVLETS to accomplish this interfacing (e.g., see columns 9-10) as well as using proxies (e.g., see column 9 line 21 et seq.) Other features are all obvious variations of the well known Internet art and they are rejected accordingly

5 It would have been to one of ordinary skill in the Internet art at the time of the invention that the claimed invention differed only by a degree from the teachings of Cowan et al, e.g. in the downloadable code. Cowan et al did not call the applets as downloadable codes or downloadables but this is an obvious variation of the generic code which is downloaded by the server to the client (e.g., see column 5 line 1 et seq) and thus constitutes only difference in a degree. Examiner likes to point out that Cowan et al reference is an excellent reference close to

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a 102 in quality. Claims are ridiculously broad and reads on standard Internet practices. For example dependent claims recite accessing URLs. Using URLs to access in the Internet is a standard process.

6. Applicant's arguments with respect to claims 1-30 and 38-50 have been considered but are moot in view of the new ground(s) of rejection.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mehmet Geckil whose telephone number is (703) 305-9676. The examiner can normally be reached on all days of the week from 8:00 A.M. to 4:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, , can be reached on (703)305-3817. The fax phone number for this Group is (703) 305-9564.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

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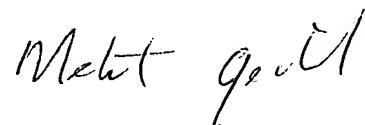
(703) 308-9051, (for formal communications; please mark "EXPEDITED PROCEDURE")

Or:

(703) 308-5359 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

4/8/99



MEHMET B. GECKIL
PRIMARY EXAMINER